



July 11, 2025

BY ECF

Hon. Taryn A. Merkl
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Trooper 1 v. NYSP et al., 22-cv-893 (LDH) (TAM)

Dear Judge Merkl:

I write very briefly on behalf of former Governor Andrew M. Cuomo (“Governor Cuomo”) to address footnote 4 of Ms. Commisso’s letter filed today (ECF No. 397), which falsely asserts that Governor Cuomo’s June 24, 2025 letter (the “June 24 Letter”) was inconsistent with the Protective Order in *Commisso v. Cuomo, et al.* (the “*Commisso Action*”).

Contrary to Ms. Commisso’s contention, ***the June 24 Letter did not reveal the content of any document designated confidential in the Commisso Action.*** The June 24 Letter simply repeated publicly available information and informed the Court about the existence of documents responsive to our subpoena in this matter. Tellingly, Ms. Commisso does not identify any confidential material that was supposedly disclosed, nor did she contact us at any point over the past two weeks to request that we withdraw any portion of the June 24 Letter. Ms. Commisso also did not raise any concern to the court in the *Commisso Action*, including during a conference that was held in that case earlier today and just shortly after the filing of ECF No. 397.¹

In short, there has been no violation of any court order, and the only noncompliance is Ms. Commisso’s failure to provide a date for her court-ordered deposition and to produce documents responsive to a subpoena in this case.

We appreciate the Court’s consideration.

Respectfully submitted,

/s/ Theresa Trzaskoma

Theresa Trzaskoma

¹ Footnote 4 is completely unfounded both in content and in argument. As a factual matter, nothing in the June 24 Letter constituted “[e]xtracts and summaries” of confidential information and we did not submit any redacted or sealed materials. As to the legal issue, none of the cases cited remotely supports the notion that it would violate one court’s order to inform another court about the existence of documents produced in the other case.